

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )      **No. 3:21-cr-00264-2**  
                                )  
JOSHUA SMITH,             )  
                                )  
Defendant.                 )

**ORDER**

A plea hearing was held on October 19, 2022. For the reasons stated on the record, the plea petition is accepted.

The sentencing hearing in this case is set for **January 9, 2023**, at 1:00 p.m.

All sentencing memoranda and motions for a departure or pursuant to United States v. Booker, 125 S.Ct. 738 (2005) must be filed by **at least seven (7) days** before the sentencing hearing. Each party shall file a sentencing memorandum regardless of whether there is a plea agreement or an agreement as to a sentence recommendation, or whether they seek a sentencing within or outside the Guidelines range. The sentencing memorandum shall contain a discussion of each of the sentencing factors in 18 U.S.C. § 3553(a).

In accordance with LCrR 32.01(c), by **at least seven (7) days** before the sentencing hearing the parties shall also file a **Position of the (Government or Defendant) with Respect to Sentencing Factors,** containing only unresolved objections to the Presentence Report. If the parties have no objections to the Presentence Report, they shall so indicate in their **Position** filed with the Court. The parties shall also serve a copy of their **Position** on the Probation Office upon its filing.

The documents and deadlines in this Order are mandatory, not optional, and shall be filed timely. The Court needs these documents in a timely fashion to adequately prepare for the sentencing hearing. Failure to comply with this Order may result in further action by the Court.

IT IS SO ORDERED.



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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE